

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JILL AYRES, an individual;**

**Plaintiff,**

**vs.**

**NEBRASKA DEPARTMENT OF HEALTH  
& HUMAN SERVICES, A Nebraska  
Political Subdivision; JOAN WELDON,  
in her official and individual capacities;  
BRENDA CHASE, in her official and  
individual capacities; TALANA SAYRE,  
in her official and individual capacities;  
DIANE MARTIG, in her official and  
individual capacities; PROJECT  
HARMONY, a Nebraska Non Profit;  
SARAH BROCK, in her official and  
individual capacities; and LANA  
SAYERS, in her official and individual  
capacities;**

**Defendants.**

**4:17CV3116**

**ORDER**

In its order, ECF No. 39, dated May 14, 2018, the Court ordered Plaintiff Jill Ayres to show cause by June 4, 2018, why Defendant Lana Sayers should not be dismissed from the action for lack of service, pursuant to Federal Rule of Civil Procedure 4(m) ("If a defendant is not served within 90 days after the complaint is filed, the court . . . must dismiss the action without prejudice against that defendant or order that service be made within a specified time."). The order warned that failure to comply could result in dismissal of Sayers without further notice.

Ayres did not respond to the Court's order to show cause, and Sayers will be dismissed. Accordingly,

IT IS ORDERED:

1. Defendant Lana Sayers is dismissed from the above-captioned action, without prejudice; and
2. The Clerk of the Court will remove Lana Sayers from the case caption.

Dated this 13th day of June, 2018.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge